



SR0435

LRB096 14261 GRL 29060 r

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SENATE RESOLUTION

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WHEREAS, H.R. 915, also known as the "FAA Reauthorization Act of 2009", is now pending before the U.S. Congress; Section 806 of the Act includes the "Express carrier employee protection" amendment, which provides equal application of federal labor laws to employees who perform the same tasks and job functions at different companies in the express carrier industry; and

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WHEREAS, The express carrier industry, which provides transportation and delivery of goods, occupies a unique niche in the economy because it utilizes various modes of transportation, including aviation and surface transportation; and

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WHEREAS, Due to how certain companies in the express carrier industry began and are structured, employees performing the same tasks in the industry are currently treated differently in the application of federal labor laws; and

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WHEREAS, In particular, while most employees of express carrier companies are, as truck drivers and package handlers, covered by the National Labor Relations Act (NLRA), other express carrier employees who work for companies which also have air transport components are subject to the Railway Labor

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1 Act (RLA), which covers the rail and air transport industries
2 and dictates procedures which tend to make it more difficult
3 for employees to obtain union recognition; and

4 WHEREAS, The current inconsistency in the application of
5 federal labor laws results in both arbitrarily unequal
6 treatment of workers, depending on their employer, and in an
7 unfair competitive advantage for certain businesses; and

8 WHEREAS, It is essential that workers performing the same
9 tasks in the workplace fall under the same labor laws, and that
10 the marketplace, not the unequal application of labor laws,
11 determine business success; and

12 WHEREAS, Section 806 of the FAA Reauthorization Act of 2009
13 attains the goal of equal treatment by applying, in the case of
14 companies which have employees both in ground and air
15 transportation, the provisions of the NLRA to the employees in
16 ground transportation and the RLA to employees in air
17 transportation; therefore, be it

18 RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL
19 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United
20 States Congress and the President to enact H.R. 915 into law
21 without changes to Section 806 of the bill, which provides
22 equal application of federal labor laws to employees who

1 perform the same tasks and job functions at different companies
2 in the express carrier industry; and be it further

3 RESOLVED, That suitable copies of this resolution be given
4 to the President of the United States and to each member of the
5 Illinois congressional delegation.